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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 541

[Docket No. NHTSA-2013-0027]

RIN: 2127-AL42

Federal Motor Vehicle Theft Prevention Standard; Final Listing  
of 2014 Light Duty Truck Lines Subject to the Requirements of This Standard  
and Exempted Vehicle Lines for Model Year 2014

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Final rule.

**SUMMARY:** This final rule announces NHTSA's determination that there are no new model year (MY) 2014 light duty truck lines subject to the parts-marking requirements of the Federal motor vehicle theft prevention standard because they have been determined by the agency to be high-theft or because they have a majority of interchangeable parts with those of a passenger motor vehicle line. This final rule also identifies those vehicle lines that have been granted an exemption from the parts-marking requirements because the vehicles are equipped with antitheft devices determined to meet certain statutory criteria.

**DATES:** The amendment made by this final rule is effective [insert date of publication in the Federal Register].

**FOR FURTHER INFORMATION CONTACT:** Ms. Rosalind Proctor, Consumer Standards Division, Office of International Policy, Fuel Economy and Consumer Programs, NHTSA,

West Building, 1200 New Jersey Avenue, S.E., (NVS-131, Room W43-302) Washington, DC 20590. Ms. Proctor's telephone number is (202) 366-4807. Her fax number is (202) 493-0073.

**SUPPLEMENTARY INFORMATION:** The theft prevention standard applies to (1) all passenger car lines; (2) all multipurpose passenger vehicle (MPV) lines with a gross vehicle weight rating (GVWR) of 6,000 pounds or less; (3) low-theft light-duty truck (LDT) lines with a GVWR of 6,000 pounds or less that have major parts that are interchangeable with a majority of the covered major parts of passenger car or MPV lines; and (4) high-theft light-duty truck lines with a GVWR of 6,000 pounds or less.

The purpose of the theft prevention standard (49 CFR Part 541) is to reduce the incidence of motor vehicle theft by facilitating the tracing and recovery of parts from stolen vehicles. The standard seeks to facilitate such tracing by requiring that vehicle identification numbers (VINs), VIN derivative numbers, or other symbols be placed on major component vehicle parts. The theft prevention standard requires motor vehicle manufacturers to inscribe or affix VINs onto covered original equipment major component parts, and to inscribe or affix a symbol identifying the manufacturer and a common symbol identifying the replacement component parts for those original equipment parts, on all vehicle lines subject to the requirements of the standard.

Section 33104(d) provides that once a line has become subject to the theft prevention standard, the line remains subject to the requirements of the standard unless it is exempted under §33106. Section 33106 provides that a manufacturer may petition annually to have one vehicle line exempted from the requirements of §33104, if the line is equipped with an antitheft device meeting certain conditions as standard equipment. The exemption is granted if NHTSA determines that the antitheft device is likely to be as effective as compliance with the theft prevention standard in reducing and deterring motor vehicle thefts.

The agency annually publishes the names of those LDT lines that have been determined to be high theft pursuant to 49 CFR Part 541, those LDT lines that have been determined to have

major parts that are interchangeable with a majority of the covered major parts of passenger car or MPV lines and those vehicle lines that are exempted from the theft prevention standard under section 33104. Appendix A to Part 541 identifies those LDT lines that are or will be subject to the theft prevention standard beginning in a given model year. Appendix A-I to Part 541 identifies those vehicle lines that are or have been exempted from the theft prevention standard.

For MY 2014, there are no new LDT lines that will be subject to the theft prevention standard in accordance with the procedures published in 49 CFR Part 542. Therefore, Appendix A does not need to be amended.

For MY 2014, the list of lines that have been exempted by the agency from the parts-marking requirements of Part 541 is amended to include thirteen vehicle lines newly exempted in full. The thirteen exempted vehicle lines are the BMW Carline 4, Jeep Cherokee, Ford Edge, Cadillac ATS Vehicle line, Honda Civic, Jaguar F-Type, Maserati Quattroporte, Mercedes-Benz New Generation Compact Car (NGCC) Line Chassis/CLA-Class, Mitsubishi Mirage, Nissan Infiniti QX60 (formerly known as the Infiniti JX), Toyota RAV4, Volkswagen Eos, and the Volvo S60.

Subsequent to publishing the June 4, 2012 final rule (See 77 FR 32903), the agency also granted one petition for exemption in full to Jaguar Land Rover North America LLC's (Jaguar) Land Rover LR2 vehicle lines beginning with its MY 2013 vehicles.

We note that the agency also removes from the list being published in the Federal Register each year certain vehicles lines that have been discontinued more than 5 years ago. Therefore, the agency is removing the Chevrolet Malibu Maxx, Chevrolet Uplander and the Pontiac Grand Prix vehicle lines from the Appendix A-I listing. The agency will continue to maintain a comprehensive database of all exemptions on our web site. However, we believe that re-publishing a list containing vehicle lines that have not been in production for a considerable period of time is unnecessary.

The vehicle lines listed as being exempt from the standard have previously been exempted in accordance with the procedures of 49 CFR Part 543 and 49 U.S.C., 33106.

Therefore, NHTSA finds for good cause that notice and opportunity for comment on these listings are unnecessary. Further, public comment on the listing of selections and exemptions is not contemplated by 49 U.S.C. Chapter 331. For the same reasons, since this revised listing only informs the public of previous agency actions and does not impose additional obligations on any party, NHTSA finds for good cause that the amendment made by this notice should be effective as soon as it is published in the Federal Register.

#### Regulatory Impacts

A. Executive Order 12866 and DOT Regulatory Policies and Procedures Executive Order 12866, “Regulatory Planning and Review” (58 FR 51735, October 4, 1993), provides for making determinations whether a regulatory action is “significant” and therefore subject to Office of Management and Budget (OMB) review and to the requirements of the Executive Order. The Order defines a “significant regulatory action” as one that is likely to result in a rule that may:

(1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or Tribal governments or communities;

(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President’s priorities, or the principles set forth in the Executive Order.

This final rule was not reviewed under Executive Order 12866. It is not significant within the meaning of the DOT Regulatory Policies and Procedures. It will not impose any new burdens on vehicle manufacturers. This document informs the public of previously granted exemptions. Since the only purpose of this final rule is to inform the public of previous actions taken by the agency no new costs or burdens will result.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act of 1980 (5 U.S.C. §601 et seq.) requires agencies to evaluate the potential effects of their rules on small businesses, small organizations and small governmental jurisdictions. I have considered the effects of this rulemaking action under the Regulatory Flexibility Act and certify that it would not have a significant economic impact on a substantial number of small entities. As noted above, the effect of this final rule is only to inform the public of agency's previous actions.

C. National Environmental Policy Act

NHTSA has analyzed this final rule for the purposes of the National Environmental Policy Act. The agency has determined that implementation of this action will not have any significant impact on the quality of the human environment. Accordingly, no environmental assessment is required.

D. Executive Order 13132 (Federalism)

The agency has analyzed this rulemaking in accordance with the principles and criteria contained in Executive Order 13132 and has determined that it does not have sufficient federal implications to warrant consultation with State and local officials or the preparation of a federalism summary impact statement.

E. Unfunded Mandates Act

The Unfunded Mandates Reform Act of 1995 requires agencies to prepare a written assessment of the costs, benefits and other effects of proposed or final rules that include a

Federal mandate likely to result in the expenditure by State, local or tribal governments, in the aggregate, or by the private sector, of more than \$100 million annually (\$120.7 million as adjusted annually for inflation with base year of 1995). The assessment may be combined with other assessments, as it is here.

This final rule will not result in expenditures by State, local or tribal governments or automobile manufacturers and/or their suppliers of more than \$120.7 million annually. This document informs the public of previously granted exemptions. Since the only purpose of this final rule is to inform the public of previous actions taken by the agency, no new costs or burdens will result.

F. Executive Order 12988 (Civil Justice Reform)

Pursuant to Executive Order 12988, "Civil Justice Reform"<sup>1</sup>, the agency has considered whether this final rule has any retroactive effect. We conclude that it would not have such an effect. In accordance with §33118 when the Theft Prevention Standard is in effect, a State or political subdivision of a State may not have a different motor vehicle theft prevention standard for a motor vehicle or major replacement part. 49 U.S.C. §33117 provides that judicial review of this rule may be obtained pursuant to 49 U.S.C. §32909. Section 32909 does not require submission of a petition for reconsideration or other administrative proceedings before parties may file suit in court.

G. Paperwork Reduction Act

The Department of Transportation has not submitted an information collection request to OMB for review and clearance under the Paperwork reduction Act of 1995 (Pub.L. 104-13, 44 U.S.C. Chapter 35). This rule does not impose any new information collection requirements on manufacturers.

List of Subjects in 49 CFR Part 541

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<sup>1</sup> See 61 FR 4729, February 7, 1996.

Administrative practice and procedure, Labeling, Motor vehicles, Reporting and recordkeeping requirements.

In consideration of the foregoing, 49 CFR Part 541 is amended as follows:

**PART 541 -- [AMENDED]**

1. The authority citation for Part 541 continues to read as follows:

Authority: 49 U.S.C. 33101, 33102, 33103, 33104, 33105 and 33106; delegation of authority at 49 CFR 1.50.

2. In Part 541, Appendix A-I is revised to read as follows:

**Appendix A-I to Part 541 – Lines With Antitheft Devices Which are Exempted From the Parts-Marking Requirements of This Standard Pursuant to 49 CFR Part 543**

<b>Manufacturer</b>	<b>Subject Lines</b>
BMW.....	MINI X1 X3 X5 Z4 1 Car Line 3 Car Line 4 Car Line <sup>1</sup> 5 Car Line 6 Car Line 7 Car Line
CHRYSLER.....	300C Jeep Cherokee <sup>1</sup> Fiat 500 Town and Country MPV Jeep Grand Cherokee Jeep Patriot Jeep Wrangler Dodge Charger Dodge Challenger Dodge Dart Dodge Journey Dodge Magnum (2008)
FORD MOTOR CO .....	C-Maxx Edge <sup>1</sup>

<sup>1</sup> Granted an exemption from the parts marking requirements beginning with MY 2014.

Manufacturer	Subject Lines
	Escape
	Explorer
	Focus
	Fusion
	Lincoln Town Car
	Mustang
	Mercury Mariner
	Mercury Grand Marquis
	Mercury Sable
	Taurus
	Taurus X
GENERAL MOTORS .....	Buick Lucerne
	Buick LaCrosse
	Buick Verano
	Cadillac ATS <sup>1</sup>
	Cadillac CTS
	Cadillac DTS/Deville
	Cadillac XTS/Deville
	Chevrolet Camaro
	Chevrolet Cobalt (2005-2010)
	Chevrolet Corvette
	Chevrolet Cruze
	Chevrolet Equinox
	Chevrolet Impala/Monte Carlo
	Chevrolet Malibu
	Chevrolet Sonic
	GMC Terrain
	Pontiac G6
	Saturn Aura
HONDA .....	Acura TL
	Civic <sup>1</sup>
HYUNDAI .....	Azera
	Genesis
	Equus (originally codenamed VI)
JAGUAR .....	F-Type <sup>1</sup>
	XJ
	XK
	Land Rover LR2 <sup>2</sup>
	Land Rover Range Rover Evoque
KIA.....	Amanti
MASERATI.....	Quattroporte <sup>1</sup>
MAZDA .....	2

<sup>1</sup> Granted an exemption from the parts marking requirements beginning with MY 2014.

<sup>2</sup> Granted an exemption from the parts marking requirements beginning with MY 2013.



Manufacturer	Subject Lines
MERCEDES-BENZ.....	3 5 6 CX-5 CX-7 CX-9 MX-5 Miata Tribute smart USA fortwo SL-Class (the models within this line are): SL550 SL55 SL 63/AMG SL 65/AMG SLK-Class (the models within this line are): SLK 300 SLK 350 SLK 55 AMG S-Class/CL-Class (the models within this line are): S450 S500 S550 S600 S55 S63 AMG S65 AMG CL55 CL65 CL500 CL550 CL600 NGCC/CLA- Class <sup>1</sup> (the models within this line are): CLA250 CLA250 4MATIC CLA45 4MATIC AMG C-Class/CLK-Class (the models within this line are): C240 C300 C350

<sup>1</sup>Granted an exemption from the parts marking requirements beginning with MY 2014.

Manufacturer	Subject Lines
	CLK 350 CLK 550 CLK 63AMG E-Class/CLS Class (the models within this line are): E320/E320DT CDi E350/E500/E550 CLS500/CLS55
MITSUBISHI .....	Eclipse Endeavor Galant iMiEV Lancer Outlander Outlander Sport Mirage <sup>1</sup>
NISSAN .....	Altima Cube Juke Leaf Maxima Murano Pathfinder Quest Rogue Sentra Versa (2008-2011) Versa Hatchback <sup>5</sup> Versa Note <sup>6</sup> Infiniti G <sup>4</sup> Infiniti Q50 Infiniti QX60 <sup>12</sup> Infiniti M <sup>3</sup> Infiniti Q70
PORSCHE .....	911 Boxster/Cayman Panamera

<sup>1</sup> Granted an exemption from the parts marking requirements beginning with MY 2014.

<sup>2</sup> Formerly known as the Infiniti JX – nameplate changed to Infiniti QX60 beginning with MY 2014 vehicles.

<sup>3</sup> Nameplate changed to Infiniti Q70 beginning with MY 2014 vehicles.

<sup>4</sup> Nameplate changed from the Infiniti G Sedan to the Infiniti Q50 Sedan and the Infiniti G Coupe/Convertible model was changed to the Infiniti Q60 Coupe/Convertible beginning with MY 2014 vehicles.

<sup>5</sup> Nameplate changed to Nissan Versa Note beginning with MY 2014.

<sup>6</sup> Nissan will not utilize its exemption for the Versa Note in MY2014 but will parts-mark all Versa Note vehicles.

Manufacturer	Subject Lines
SAAB .....	9-3 9-5
SUBARU .....	Forester Impreza Legacy B9 Tribeca Outback XV Crosstrek
SUZUKI .....	Kizashi XL-7
TESLA .....	Model S
TOYOTA.....	Camry Corolla Lexus ES Lexus GS Lexus LS Lexus SC Prius RAV4 <sup>1</sup>
VOLKSWAGEN .....	Audi A3 Audi A4 A4 Allroad MPV Audi A6 Audi A8 Audi Q5 Beetle Eos <sup>1</sup> Golf/Rabbit/GTI/R Jetta New Beetle (renamed “Beetle” in MY 2012) Passat Tiguan

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<sup>1</sup>Granted an exemption from the parts marking requirements beginning with MY 2014.

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Manufacturer	Subject Lines
VOLVO.....	S60 <sup>1</sup>

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<sup>1</sup>Granted an exemption from the parts marking requirements beginning with MY 2014.

Issued on: July 18, 2013

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**Christopher J. Bonanti**  
Associate Administrator for  
Rulemaking

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